

1 [City property to be sold for at least 100 percent of City appraised value, except for property
2 sold at public auctions and competitively bid sales.]

3 **Ordinance amending Section 23.3 of the Administrative Code to provide that the sale of**
4 **City real property shall be at a sales price of at least 100 percent of the Director of**
5 **Property's appraised value of the real property, rather than the current 90 percent**
6 **requirement, except for sales resulting from public auctions or competitive bidding.**

7 Note: Additions are *single-underline italics Times New Roman*;
8 deletions are *strikethrough italics Times New Roman*.
9 Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

10 Be it ordained by the People of the City and County of San Francisco:

11 Section 1. The San Francisco Administrative Code is hereby amended by amending
12 Section 23.3, to read as follows:

13 **SEC. 23.3. CONVEYANCE OF REAL PROPERTY.**

14 The Director of Property may Convey any Real Property owned by the City upon
15 recommendation of the department responsible for the administration of such Real Property,
16 excepting park lands pursuant to Charter Section 4.113(2) or where a Conveyance of such
17 Real Property would violate the terms of any gift, trust, deed restriction, bond covenant, or
18 other covenant or restriction under which the City holds the Real Property. Such Conveyance
19 may be made after the Board of Supervisors, by resolution, determines that the public interest
20 or necessity demands, or will not be inconvenienced by such Conveyance, and approves the
21 Conveyance. If the Conveyance is a Competitive Bidding Process or a public auction, the
22 Board shall approve and confirm by resolution any such Conveyance after such Competitive
23 Bidding Process or auction process is complete. The Board's resolution authorizing a
24 Conveyance shall set forth the means of Conveyance, whether by public auction, Competitive
25 Bidding Process or such other means of disposition as the Board may authorize by resolution.

1 The Board of Supervisors may authorize such Conveyance by resolution without
2 advertisement, public auction, or Competitive Bidding Process if it determines that an auction
3 or Competitive Bidding Process is impractical or impossible, including, for example only and
4 not by way of limitation, when the Real Property is not capable of independent development,
5 will be exchanged for other Real Property, or when the Board determines that a negotiated
6 direct Conveyance of the Real Property will further a proper public purpose.

7 Before the Board of Supervisors approves a Conveyance, the Director of
8 Property shall appraise the fair market value of such Real Property and give the notices
9 required by California Government Code Section 54220 et seq. or any other applicable
10 provision of state law. The Director of Property shall also advertise by publication the
11 proposed Conveyance if the Conveyance will be by public auction or Competitive Bidding
12 Process, for an appropriate period as determined by the Director of Property. Every
13 Conveyance other than a sale at public auction or through a Competitive Bidding Process
14 shall be for a sales price of at least ~~90~~ 100 percent of the Director of Property's appraisal of
15 such Real Property, except where the Board determines either that (i) a lesser sum will further
16 a proper public purpose, or (ii) based on substantial evidence in the record, the terms and
17 conditions of such Conveyance are reflective of the fair market value of the Real Property
18 notwithstanding the appraisal.

19
20 APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

21 By: Theodore R. Lakey
22 Theodore R. Lakey
23 Deputy City Attorney
24
25



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Ordinance

File Number: 030582

Date Passed:

Ordinance amending Section 23.3 of the Administrative Code to provide that the sale of City real property shall be at a sales price of at least 100 percent of the Director of Property's appraised value of the real property, rather than the current 90 percent requirement, except for sales resulting from public auctions or competitive bidding.

June 24, 2003 Board of Supervisors — PASSED ON FIRST READING

Ayes: 9 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Newsom, Peskin, Sandoval
Excused: 2 - Maxwell, McGoldrick

July 8, 2003 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick,
Peskin, Sandoval
Excused: 1 - Newsom

File No. 030582

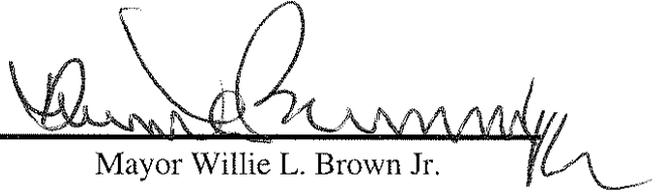
I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on July 8, 2003 by
the Board of Supervisors of the City and
County of San Francisco.



Gloria L. Young
Clerk of the Board

Jul 18 2003

Date Approved



Mayor Willie L. Brown Jr.